

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING

March 26, 1997
Phoenix Museum of History-Public Hall
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Elaine Scruggs, Glendale, Chairman	Mayor Ken Forgia, Peoria
Mayor Tom Morales, Avondale	Vice Mayor Peggy Bilsten for Mayor Skip Rimsza, Phoenix
Mayor Mike Baker, Buckeye	
Vice Mayor Hugh Stevens, Carefree	*Mayor Mark Schnepf, Queen Creek
*Mayor Tom Augheron, Cave Creek	*President Ivan Makil, Salt River Pima-Maricopa Indian Community
Mayor Jay Tibshraeny, Chandler	
*Mayor Maggie Reese, El Mirage	*Councilmember Richard Thomas for Mayor Sam Campana, Scottsdale
Mayor Jerold Miles, Fountain Hills	Mayor Joan Shafer, Surprise
Mayor Chuck Turner, Gila Bend	Mayor Neil Giuliano, Tempe
Governor Mary Thomas, Gila River Indian Community	Vice Mayor Melinda Diaz for Mayor Adolfo Gamez, Tolleson
Mayor Wilburn Brown, Gilbert	Mayor Dallas Gant, Wickenburg
Mayor Bill Arnold, Goodyear	Councilmember Art Semick for Mayor Daphne Green, Youngtown
Mayor Frances Osuna, Guadalupe	F. Rockne Arnett, ADOT
Mayor Richard Vasiloff, Litchfield Park	Chuck Coughlin, Citizens Transportation Oversight Committee
Supervisor Don Stapley, Maricopa County	
Mayor Wayne Brown, Mesa	
Councilmember Sara Moya, Paradise Valley	

*Those members neither present nor represented by proxy.

1. Call to Order

The meeting was called to order at 5:05 p.m. by Chairman Scruggs. Vice Mayor Peggy Bilsten of Phoenix, Vice Mayor Melinda Diaz of Tolleson and Councilmember Art Semick of Youngtown were introduced as the proxies for this meeting.

2. Pledge of Allegiance

3. Agency Showcase

The City of Tolleson presented the MAG member agency showcase. Vice Mayor Diaz introduced Tolleson City Manager, Ralph Velez, and staff member Reyes Medrano. She distributed t-shirts from Tolleson's 10th Annual Pride Day and invited the Regional Council to attend this year's event. A slide presentation was made on the City's historical artifacts that are on display in the City's library. The slide presentation also provided information on the various employers who are located in Tolleson.

4. Executive Director's Report

James M. Bourey provided the Regional Council with an update on MAG activities. He discussed the following items: 1) development of the FY 1997-98 budget and proposed staffing reorganization; 2) efforts to initiate the MAG Regional Visioning Process; and 3) efforts of the MAG Ad Hoc Transportation Study Committee to consider revisions to criteria for loan reimbursements to accelerate freeway construction. Mr. Bourey also provided a report on two pieces of legislation including one that would upgrade the 9-1-1 system to allow for the location of cellular telephones. He distributed a letter from the City of Phoenix supporting this legislation. Mr. Bourey also mentioned SB 1189 noting the potential regional benefit that could be derived from this legislation and the MAG Regional Visioning Process.

5. Approval of the November 20, 1996 and December 4, 1996 Meeting Minutes

Mayor Shafer moved, Mayor Wilburn Brown seconded, and unanimously carried to approve the February 26, 1997 meeting minutes.

6. Call to the Audience

Dianne Barker presented the following concerns: 1) the comments that Lucy Logan made at the 2/26 public hearing were not adequately reflected in the minutes; 2) the State fairgrounds should be used as a bus transfer point; 3) the lack of a proper response regarding RPTA's use of federal funds for lobbying purposes. Blue Crowley noted his concerns regarding the following: 1) the number of vacant positions in the draft MAG organization chart; 2) his pending appointment to CTOC; 3) the bus flyers promoting bus use during spring training; and 4) his appreciation for receiving the "Transit on the Move" newsletter from Doug Eberhart.

7. Approval of Consent Agenda

Comments were received from Blue Crowley regarding agenda items 8 and 9. On agenda item 8, he noted his concern that not all bus routes have wheelchair access which violates ADA requirements. He noted his concern with agenda item 9 that insufficient funds were being allocated in the TIP to transit project.

Mayor Forgia moved, Mayor Vasiloff seconded, and it was unanimously carried to approve all of the items 8, 9, 10, 11, 12, 13 and 14 on the consent agenda.

8. Recommendation to the Arizona Department of Transportation for the FTA Elderly & Persons with Disabilities Program

The Regional Council approved, by consent, forwarding the priority listing of FTA Elderly & Persons with Disabilities Transportation Program applications to the Arizona Department of Transportation. The priority list was developed by the MAG FTA Elderly & Persons with Disabilities Transportation Ad Hoc Committee. This year, 13 applications for 14 capital assistance awards were received and considered by the Committee.

9. Request to Amend the FY 1997-2001 MAG Transportation Improvement Program

The Regional Council approved, by consent, an amendment to the FY 1997-2001 MAG Transportation Improvement Program (TIP). This amendment allocates federal bridge replacement funds to replace the City of Phoenix's bridge at 7th Avenue and the Western Canal. It also funds five federally funded Enhancement Fund projects including: 1) the City of Phoenix Cave Creek Wash multi-modal path; 2) the City of Tempe West 5th Street multi-modal facilities; 3) the Maricopa County Bush

Highway bike lanes; 4) the City of Phoenix Central Avenue Art Walk; and 5) the Arizona State University Electronic Archives - Hohokam Villages.

10. Conformity Consultation on Rescheduled ADOT Freeway Construction Projects

The Regional Council, by consent, considered results of the regional emissions analysis that MAG conducted to assess the conformity impacts of advancing construction on four freeway projects on the Aqua Fria Freeway and the Pima Freeway. This analysis was conducted at the request of the Arizona Department of Transportation. Results of this analysis indicated that the regional conformity emission criteria will be met for these projects.

11. FY 1997-2001 MAG Transportation Improvement Program Amendment and Conformity Findings for Rescheduled Freeway Project

The Regional Council, by consent, approved an amendment to the FY 1997-2001 MAG Transportation Improvement Program (TIP) and a related draft conformity finding that would advance construction of the Price Freeway. The TIP amendment would advance construction of the Price Freeway between Warner Road and Frye Road. This project, based on the MAG air quality emission analysis, will have no impact on the air quality modeling results upon which the conformity findings for the FY 1997-2001 TIP are based.

12. Interagency Consultation: Potential Regionally Significant Projects for the 1997 Conformity Analysis

The Regional Council, by consent, considered a list of potential projects in the draft FY 1998-2002 MAG Transportation Improvement Program (TIP) considered to be regionally significant. A listing was developed by MAG indicating the projects from the Draft FY 1998-2002 TIP that potentially would be considered regionally significant for conformity purposes. This project list was developed by MAG for conformity purposes.

13. Interagency Consultation: Processes Pertaining to Transportation Conformity Analysis

The Regional Council, by consent, considered updated processes that MAG will use in conducting conformity analysis for the MAG Long Range Transportation Plan (1997 Update) and the FY 1998-2002 MAG Transportation Improvement Program. These processes include: selection of modeling methods; identification of exempt projects; insurance of expeditious transportation control measure implementation; and identification of projects needing PM-10 hotspot analysis. These processes are being reviewed pursuant to federal and state conformity regulations.

14. Draft July 1, 1995 Water Services Area Resident Population Updates

The Regional Council, by consent, approved the July 1, 1995 Water Service Area Resident Population Updates. This information is developed for use by the Arizona Department of Water Resources in assessing municipal compliance with per capita water use targets.

15a. Conformity Analysis of the Draft 1997 Update of the MAG Long Range Transportation Plan

The Regional Council considered a recommendation to approve authorization of a conformity analysis of the Draft 1997 Update of the MAG Long Range Transportation Plan. Terry Johnson explained, as part of his combined presentation on agenda items 15 a, b, c, and d, that the 1990 Clean Air Act Amendments require that transportation plans be in conformance with the applicable air quality plans. To comply with this requirement, it is necessary to conduct a conformity analysis on the MAG Long Range Transportation Plan. The Plan is a multimodal document that includes the freeway priorities and fixed guideway transit starter corridor approved by the Regional Council. Mr. Johnson noted that on February 26, 1997, the Transportation Review Committee recommended authorizing an air quality conformity analysis on the Plan, and the Management Committee concurred with this recommendation at its March 12, 1997 meeting.

Comments from the public on agenda items 15 a, b, c, and d were received from Blue Crowley. He expressed concern about the following issues: 1) the three minute time limit for public comment; 2) the lack of funding for transit; 3) the need to do more MAG transit planning rather than relying of transit planning efforts done by the City of Phoenix; and 4) the lack of public participation in the mid-phase public involvement process.

Mayor Wayne Brown moved, Mayor Shafer seconded and it was carried to authorize a conformity analysis which meets the federal 20 year planning requirement for the Draft 1997 Update of the MAG Long Range Transportation Plan. Mr. Coughlin voted no on this motion.

15b. FY 1997 MAG Mid-Phase Public Involvement Report

The Regional Council considered a recommendation to approve acceptance of the FY 1997 Mid-Phase Public Input Opportunity Report. As part of the combined presentation on agenda items 15 a, b, c, and d, John Farry described the process that was utilized. He explained that in February, the mid-phase public meetings were sponsored by the Arizona Department of Transportation, the Regional Public Transportation Authority, the Citizens Transportation Oversight Committee and MAG. In addition, a joint public hearing was held by the governing bodies of these agencies on February 26, 1997. The open houses provided information on the update of the Long Range Transportation Plan, including the revised freeway priorities and the Fixed Guideway Starter Corridor. The public hearing included a presentation on the Draft Annual Report on the MAG Freeway & Expressway Program and an opportunity for citizens to comment on transportation issues. Mr. Farry noted that the Management Committee recommended acceptance of this report at its March 12, 1997 meeting.

Governor Thomas commented on the opportunity for providing continuous public comment. She expressed concern about the I-10 expansion project in her area noting that the project is very hazardous. She indicated a desire to find better ways to communicate to the public the dangers associated with this project.

Mayor Giuliano moved, Mayor Miles seconded and it was carried to accept the FY 1997 MAG Mid-Phase Public Involvement Report, with the addition of public comment received at the March 12, 1997 Management Committee meeting. Mr. Coughlin voted no on this motion.

15c. MAG Federal Funding: Draft FY 1998-2002 MAG Transportation Improvement Program

The Regional Council considered a recommendation to approve including the MAG federally funded projects in the Draft FY 1998-2002 MAG Transportation Improvement Program (TIP). Terry Johnson, as part of his combined presentation on agenda items 15a, b, c, and d, explained that each year MAG submits a Transportation Improvement Program (TIP) for an air quality conformity analysis. The TIP includes federally funded transportation projects. MAG receives approximately \$40 million each year in federal funds and these funds are allocated to projects and placed in the TIP. In accordance with Regional Council action, up to 70 percent of the MAG federal funds are allocated to freeway projects. For FY 2002, \$23.3 million is projected to be available for freeway projects and approximately \$7.9 million for other projects. In addition, \$2.5 million in un-programmed Congestion Mitigation and Air Quality funds are available for FY 2001. Projects were received totaling \$48.4 million. These projects were rated by various MAG transportation committees, and on January 29, 1997, the Transportation Review Committee reviewed the ratings and recommended projects to be included in the FY 1998-2002 TIP. Mr. Johnson noted that the Management Committee recommended that the projects be included in the TIP for an air quality conformity analysis.

Mr. Coughlin asked which MAG committees had reviewed these projects. He also inquired as to why the Citizen Transportation Committee (CTOC) had not been briefed on this project listing prior to the Regional Council meeting. He further noted he would be voting no on this matter because the CTOC was not briefed before the Regional Council meeting.

Mayor Giuliano moved, Vice Mayor Bilsten seconded and it was carried to approve the inclusion the MAG federally funded projects recommended by the Transportation Review Committee and the Management Committee in the Draft FY 1998-2002 MAG Transportation Improvement Program for an air quality conformity analysis. Mr. Coughlin voted no on this motion.

15d. Conformity Analysis of the Draft FY 1998-2002 MAG Transportation Improvement Program

The Regional Council considered a recommendation to approve authorization of a conformity analysis of the Draft FY 1998-2002 MAG Transportation Improvement Program (TIP). Terry Johnson, as part of his combined presentation on agenda item 15a, b, c and d, explained that the 1990 Clean Air Act amendments require that the MAG Transportation Improvement Program (TIP) be in conformance with the applicable air quality plans. The TIP serves as a five-year regional guide for the preservation, management and expansion of public transportation services, including highways, ridesharing, transit facilities and various congestion mitigation and air quality improvement projects. On February 26, 1997, the Transportation Review Committee recommended a draft listing of projects to be included in the FY 1998-2002 MAG TIP for and air quality conformity analysis. The Management Committee concurred with this recommendation.

Mayor Wayne Brown moved, Mayor Giuliano seconded and it was carried to authorize a conformity analysis of the Draft 1998-2002 MAG Transportation Improvement Program. Mr. Coughlin voted no on this motion.

16. Preliminary Close-Out of the FY 1997 MAG Federal-funded Program & Related Adjustments to the FY 1997-2001 MAG Transportation Improvement Program

The Regional Council considered a recommendation to approve providing FY 1997 funding for the following projects: \$94,300 (CMAQ) for the Chandler Mesquite Street bike lanes; \$399,600 (STP) for the Guadalupe Avenida del Yaqui street improvements; \$1,196,000 (CMAQ) for transit projects; \$300,000 (STP) for MAG relocation expenses; and \$2,627,000 (STP) for the Maricopa County 116th

Avenue Bridge projects at the Gila River. Paul Ward explained that in May 1995, the Regional Council approved policy recommendations for the distribution of MAG federal funds. Recently, MAG has been informed by the Arizona Department of Transportation that the amount of federal funds available for FY 1997 projects is approximately \$8.1 million higher than previously projected. In accordance with Regional Council policy, 70 percent of these funds are allocated to MAG freeway projects. The balance of these funds in addition to reimbursements for closed out projects totals \$4.5 million. Projects for this funding need to be obligated by September 30, 1997. Street, bicycle, pedestrian and transit projects were considered for the funding by the Transportation Review Committee. On February 26, 1997, the Transportation Review Committee recommended projects for the available funding. The Management Committee concurred with this recommendation.

In response to a question from Governor Thomas regarding establishment of project priorities, Mr. Ward explained that the project priority criteria was established by the Regional Council and that the congestion management and air quality criteria were also considered. Mayor Forgia asked if there was any chance of losing funding for the 116th Avenue Bridge project. Mr. Ward explained that these federal funds need to be obligated by September 1997 and will need to be expended within 2 years.

Comments from the public were received from Blue Crowley. He expressed concern regarding the lack of bicycle projects and stressed that this funding should be used for multi-modal projects.

Mayor Giuliano moved, Mayor Forgia seconded and it was unanimously carried to approve providing FY 1997 funding for the following projects: \$94,300 (CMAQ) for the Chandler Mesquite Street bike lanes; \$399,600 (STP) for the Guadalupe Avenida del Yaqui street improvements; \$1,196,000 (CMAQ) for transit projects; \$300,000 (STP) for MAG relocation expenses; and \$2,627,000 (STP) for the Maricopa County 116th Avenue Bridge projects at the Gila River.

17. Requested Changes to the MAG Freeway Program

The Regional Council considered a recommendation to approve changes to the MAG Freeway Program. Eric Anderson explained that the Arizona Department of Transportation requested a series of changes to the 1997 MAG Freeway Program. These changes support the changes made in the Tentative Life Cycle Program FY 1998-2006 and are necessary to meet the accelerated project schedules. He indicated that all the proposed changes were incorporated in the latest fiscal analysis of the program and ADOT cash flow analysis. The changes include: advancement of right-of-way to meet the new construction schedules; cost increases and scope changes mostly for right-of-way and construction; four new, small projects needed; two deleted projects that have been incorporated elsewhere in the program; and two projects deferred from FY 1997 to FY 1998. The large cost increases requested for right-of-way and construction are of particular concern. Mr. Anderson explained that recommendations to address these concerns were included in the fiscal analysis section of the 1997 Annual Report. The MAG Fiscal Analysis Unit has reviewed the requested changes and recommends approval. The Management Committee also concurred with this recommendation.

Mayor Shafer moved, Mayor Wayne Brown seconded and it was unanimously carried to approve the requested changes to the MAG Regional Freeway System.

18. Agricultural Measures for Possible Inclusion in the Suggested List of Measures for Particulates and Carbon Monoxide

The Regional Council considered approval of agricultural measures for inclusion into the Suggested List of Measures for Particulates and Carbon Monoxide. Lindy Bauer explained that on January 29, 1997, the MAG Regional Council approved a Suggested List of Measures for Particulates and Carbon Monoxide. She noted that the Regional Council also withdrew the agricultural measures on the list and returned them to the Air Quality Policy Committee for further study. Members of the Regional Council had expressed concern over the potential economic impacts of the measures on the agricultural community. On February 19, 1997, Councilmember Larry Morrison, Chairman of the Air Quality Policy Committee and MAG staff addressed the Maricopa County Farm Bureau and offered to work cooperatively with the Bureau to identify effective measures which would not negatively impact agriculture. The Bureau then formed a subcommittee to review the research and develop effective workable measures. The Bureau has developed recommendations for measures which would be effective and not result in substantial widespread economic impacts on agriculture.

Dan Thelander, a board member of the Maricopa County Farm Bureau, discussed the seven proposed control measures that will reduce particulate emission and are not overly burdensome to local farmers. He expressed the Farm Bureau's appreciation for the opportunity to participate in the development of these control measures.

Questions were raised by Governor Thomas and Mayor Turner regarding methods to control road dust. Concern was expressed regarding the cost of watering roads and controlling wind-generated dust. Councilmember Semick asked if there had been any consideration of using calcium chloride as a dust control agent. Ms. Bauer indicated that dust palliatives have been used in the region. She noted that it is important to use palliatives that do not pollute the ground water. Mayor Turner and Mayor Tibshraeny both expressed concern over the cost of controlling farm road dust and indicated that it was not practical to do this in light of the small amount of dust that is generated on farm roads.

Mayor Baker moved, Mayor Turner seconded and it carried to approve the proposed agricultural measures, except for the measure relating to dust control on farm roads, for inclusion into the Suggested List of Measures for Particulates and Carbon Monoxide. Governor Thomas abstained from voting.

19. Approval of Lease and Funding Arrangements for the Relocation of MAG Offices and Meeting Facilities

The Regional Council considered a recommendation to authorize the MAG Executive Director to execute a lease in the Norwest Bank Building for relocating the MAG offices. James M. Bourey explained conditions of the lease noting it provides for approximately 12,000 square feet of office space. The lease would start on July 1, 1997 and would last for four years. He also explained that tenant improvements would be made that would enable the Regional Council to hold its meetings in this building.

Discussion by the Regional Council on this proposal focused on the cost of the lease, the adequacy of the facilities to accommodate Regional Council meetings, and the availability of parking. In response to questions from Mayor Shafer, it was explained that there would be sufficient parking to accommodate the various meetings that MAG conducts. Chairman Scruggs noted that this proposal appears to be the best option available to meet the Regional Council's decision to locate all of the MAG staff in one building. Mayor Wilburn Brown, Chairman of the Long-Term Committee, noted that real

estate professionals were used to locate the various building options available to MAG. He indicated that the Norwest Bank Building appears to be the best location, particularly in terms of rental price and ability to meet MAG's space needs.

Comments from the public were received from Vivian Valle, Dianne Barker, and Blue Crowley who expressed concern over the parking at the proposed location and concern with the associated expense with this relocation. Jane White indicated her support of the proposal because it will house all of the MAG staff in one location.

Mayor Wilburn Brown moved, Supervisor Stapley seconded and it carried to authorize the MAG Executive Director to execute the necessary lease arrangements with Norwest Bank, with the landlord - Teachers Insurance and Annuity Association of America, and with the Regional Public Transportation Authority for MAG office and meeting space at the Norwest Bank building, 302 North First Avenue, commencing July 1, 1997 and expiring June 30, 2001 with options to renew the lease at the end of the term, and to amend the MAG Unified Planning Work Program to provide \$775,000 of MAG Surface Transportation Program funds for the relocation of MAG office and meeting facilities. Mayor Shafer voted no on the motion. Mayor Miles and Vice Mayor Bilsten were not present for the vote.

The meeting was adjourned at 7:05 p.m.

Chairman

Secretary